

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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|---|--------------------------------------|
| BLUE HILLS OFFICE PARK LLC, |) |
| Plaintiff/Defendant-in-Counterclaim |) |
| |) |
| v. |) Civil Action No. 05-CV-10506 (WGY) |
| |) |
| J.P. MORGAN CHASE BANK, as Trustee for |) |
| the Registered Holders of Credit Suisse First |) |
| Boston Mortgage Securities Corp., Commercial |) |
| Mortgage Pass-Through Certificates, |) |
| Series 1999-C1 |) |
| Defendant |) |
| |) |
| and CSFB 1999 – C1 ROYALL STREET, LLC |) |
| Defendant/Plaintiff-in-Counterclaim |) |
| |) |
| and |) |
| |) |
| WILLIAM LANGEIER and |) |
| GERALD FINEBERG |) |
| Defendants-in-Counterclaim |) |
| |) |

TRIAL EXHIBITS AS OF START OF 10/4/2006 TRIAL SESSION

| | |
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| 1. | Royall Associates Trust Declaration and Amendment CSFBMSC 02501 - 02523 |
| 2. | Royall Associates Trust Deed (Norfolk Registry) |
| 3. | Equiserve Lease and Amendments LNR 02446-02564 |
| 4. | Note (SAC Ex. D) |
| 5. | Mortgage (Dep. Ex. 155/SAC Ex. C/CSFBMSC 02707-02781) |
| 6. | Cash Management Agreement (SAC Ex. E/Dep. Ex. 156/Blue Hill 0116-0143) |
| 7. | Guaranty (Exhibit "F" to Blue Hills Parties' First RFA) |
| 8. | UCC Financing Statement (Dep. Ex. 324/Blue Hill 2757-2760) |
| 9. | Fineberg Personal Net Worth Statement (Dep. Ex. 339) |
| 10. | Letter from Dan Frank to DST re. extension of lease dated 4/9/02 (Dep. Ex. 37/Blue Hill 1253) |
| 11. | E-mail from Equiserve to Blue Hills re. extension of lease dated 8/7/02 (Dep. Ex. 38/Blue Hill 1114) |
| 12. | Letter from Dan Frank to DST re. extension of lease dated 9/20/02 (Dep. Ex. 39/Blue Hill 1254) |
| 13. | Special Permit Application dated 4/4/03 (Dep. Ex. 9/Blue Hill 1566) |

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| 14. | Petition of Blueview Corporate Center LLC (Blue Hill 1535-1549) |
| 15. | Purchase and Sale Agreement Blueview/DST dated 4/9/03 (Dep. Ex. 19/ND0025-0059) |
| 16. | Letter from National Development to Gary Lilienthal re. Special Permit, dated 5/5/03 (Dep. Ex. 327/Blue Hill 1704-1705) |
| 17. | Letter from Equiserve to Blue Hills dated 5/14/03 (Dep. Ex. 17/Blue Hill 1255) |
| 18. | Letter from Blue Hills to Equiserve dated 5/15/03 (Dep. Ex. 18/Blue Hill 1711) |
| 19. | Meeting Minutes of the Canton Zoning Board of appeals 5/22/03 (Dep. Ex. 304 &328/Blue Hill 1593-1602) |
| 20. | ZBA Decision (attached to Lender's Second RFA as Exhibit "L") |
| 21. | Zoning Appeal dated 6/9/03 (Blue Hill 1733-1778) |
| 22. | Letter from Bernkopf to LandAmerica dated August 6, 2003, enclosing documents with regard to the Settlement (Blue Hill 1908-1945) |
| 23. | Release (Blue Hill Office Park LLC (Blue Hill 1880-1881) |
| 24. | Settlement Agreement dated 8/5/03 (Dep. Ex. 21/Blue Hill 1844-1867) |
| 25. | Lease Termination Agreement (Dep. Ex. 10/Blue Hill 1603-1610) |
| 26. | Royall Associates Agreement 12/31/04 (Dep. Ex. 176/Blue Hill 5513-5525) |
| 27. | Tax Return 2004 for Royall Associates Realty Trust (Deposition Ex. 363) |
| 28. | Payment Records Produced by Blue Hills (Dep. Ex. 177/Blue Hill 5507-5512) |
| 29. | Blue Hills Asset Statement by Rutfield and Hassey 12/31/02 (Dep. Ex. 364/Blue Hill 5526) |
| 30. | Blue Hills Asset Statement by Rutfield and Hassey 12/31/03 (Dep. Ex. 365/Blue Hill 5527) |
| 31. | December 31, 2004 statement of assets (Deposition Ex. 366) |
| 32. | Blue Hills Office Park, LLC, Annual Report December 31, 2002 (Dep. Ex. 409) |
| 33. | Blue Hills Office Park, LLC, Annual Report December 31, 2003 (Dep. Ex. 410) |
| 34. | Blue Hills Office Park, LLC, Annual Report December 31, 2004 (Blue Hill 6755-6760) |
| 35. | Royall Associates "Due to/from Acct" (Dep. Ex. 367/Blue Hill 5529) |
| 36. | Fax from Rutfield & Hassey to Goldberg re. "Due from Affiliate" and Basis Adjustment (Dep. Ex. 368/Blue Hill 5530) |
| 37. | Memo from Rutfield & Hassey re. BHOP Basis, Depreciation, Langelier Adjustment (Dep. Ex. 369/Blue Hill 5531) |
| 38. | Wire Transfer Borrower Remainder 5/12/04 (Net Rents) (Dep. Ex. 31/WF1998-2003) |
| 39. | Wire Transfer Borrower Remainder 6/14/04 (Net Rents) (Dep. Ex. 32/WF2004-2008) |
| 40. | Wire Transfer Borrower Remainder 7/13/04 (Net Rents) (Dep. Ex. WF2709-2715) |
| 41. | Blue Hills March 2000 Assets and Liabilities Statement (WF01188-1189) |
| 42. | Blue Hills June 2000 Assets and Liabilities Statement (WF01261-1262) |
| 43. | Blue Hills 2001 Assets and Liabilities Statement (WF1443-1444) |
| 44. | Blue Hills 2002 Assets and Liabilities Statement (WF3172-3173) |
| 45. | Blue Hills 2001 Income and Expense Statement (Dep. Ex. 318/Blue Hill 5062) |
| 46. | Blue Hills June 2003 Income and Expense Statement (WF3176-3177) |
| 47. | Blue Hills September 2003 Income and Expense Statement (WF3182-3183) |
| 48. | Blue Hills December 2003 Income and Expense Statement (Dep. Ex. 35/WF1414) |
| 49. | Blue Hills March 2004 Income and Expense Statement (Dep. Ex. 36/WF1264) |
| 50. | Blue Hills June 2004 Income and Expense Statement (WF3195) |
| 51. | Marketing Update from C & W 7/21/04 (Dep. Ex. 42/Blue Hill 0833-0906) |

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| 52. | E-mail from Joseph Plunkett with draft letter re. marketing meeting dated 8/3/04 (Dep. Ex. 325/Blue Hill 0774-0777) |
| 53. | Fax from Paul Halloran to Elham dated 10/22/99 (Dep. Ex. 1) |
| 54. | Letter from Needle to Equiserve re. Property Taxes Due, dated 9/10/03 (Part of Dep. Ex. 12/Blue Hill 0463) |
| 55. | Tax Shortage Letter from Wells Fargo to Blue Hills dated 10/9/03 (Part of Dep. Ex. 12/Blue Hill 0464) |
| 56. | Deposit Record for Equiserve Portion of Taxes 10/15/03 (Part Dep. Ex. 12/Blue Hill 0500-0501) |
| 57. | Deposit Record for Blue Hills Portion of Taxes 10/16/03 (Part of Dep. Ex. 12/Blue Hill 0502) |
| 58. | Letter Authorizing Wire Transfer from Lockbox to Wells Fargo dated 10/16/03 (Part of Dep. Ex. 12/Blue Hill 0503) |
| 59. | Tax Record for Single Loan (Dep. Ex. 138) |
| 60. | Fax from Langelier to Rubino dated 9/14/99 concerning distribution of funds (Dep. Ex. 166/CSFBMSC 03371-03373) |
| 61. | Fax from Langelier to Rubino dated 11/30/99 concerning prepayments and cash flow (Dep. Ex. 34/CSFBMSC02834-02836) |
| 62. | E-mail exchange Mallegni/Taylor 7/15/04 (Dep. Ex. 22/LNR02765-02766) |
| 63. | Email from Mallegni to Vickie Taylor 7/15/04 (Dep. Ex. 136/LNR02873) |
| 64. | Letter from Needle to Equiserve re. taxes due dated 7/15/04 (Dep. 315 (Blue Hill 5185)) |
| 65. | Tax Shortage Letter from Wells Fargo to Blue Hills dated 7/16/04 (Dep. Ex. 4/Blue Hill 0469) |
| 66. | Notes Maintenance 7/29/04 - Ref. # "No Tax Dsbrsment" (WF01745/Dep. Ex. 5) |
| 67. | Notes Maintenance 7/29/04 - Ref. # "Non Compliance" (WF01746/Dep Ex. 6) |
| 68. | Wells Fargo e-mail exchange re. advancing funds to pay taxes (Dep. Ex. 8; also Dep. Ex. 161/WF02103) |
| 69. | Wells Fargo e-mail exchange re. November 2004 real estate tax payment (WF003118-WF03120) |
| 70. | Donovan Letter Request 8/2/04 (Dep. Ex. 23/Blue Hill 1249; also Dep. Ex. 53/WF4679) |
| 71. | Donovan Letter Request 8/5/04 (Dep. Ex. 24/Blue Hill 1249; also Dep. Ex. 55/WF513) |
| 72. | Transcribed Warshaw Voicemail Message 8/04 (Dep. Ex. 25/Blue Hill 1230-1231) |
| 73. | Mallegni/Taylor E-mail exchange 8/12/04 (Dep. Ex. 145/LNR2875-2876) |
| 74. | Boord/Reed E-Mail (incorporating Ex. 145) 8/12/04 (Dep. Ex. 143/LNR4088-4089) |
| 75. | Donovan Fax to Mallegni 8/13/04 (Dep.Ex. 27/Blue Hill 1245-1248) |
| 76. | Mallegni/Taylor E-Mail exchange 8/16/04 (Dep. Ex. 154, LNR2769-2771) |
| 77. | Transfer Memorandum 8/17/04 (Dep. Ex. 57/WF01284-01285) |
| 78. | Email dated August 17, 2004 From Rania Shuheiber to AnnMarie Hancock re: hold code "S" placed on loan (Deposition Ex. 153) |
| 79. | Warshaw Letter re. Transfer to LNR 8/19/04 (Dep. Ex. 28/Blue Hill 1233; also Dep. Ex. 59/Blue Hill 481) |
| 80. | Unexecuted Prenegotiation Letter 8/19/04 (Dep. Ex. 29/Dep. Ex. 60/Blue Hill 0482-0485) |
| 81. | Fax dated August 24, 2004 from Job Warshaw to BH re. August 19, 2004 letter to re: servicing responsibilities have been transferred to Lennar Partners (Deposition Ex. 61) |

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| 82. | Executed Prenegotiation Letter (Blue Hill 4684-4687) |
| 83. | Deposition Exhibit 62 Prenegotiation Letter |
| 84. | Email dated August 20, 2004 From Shuheiber to Campbell (Deposition Ex. 67) |
| 85. | Letter dated August 23, 2004 from Campbell to Shuheiber (Deposition Ex. 82) |
| 86. | Letter dated August 23, 2004 from Campbell to Shuheiber (Deposition Ex. 83) |
| 87. | Donovan Letter Request 9/2/04 (Dep. Ex. 26/54/Blue Hill 1228) |
| 88. | Letter re. Default 9/17/04 (Dep. Ex. 30/Blue Hill 1225-1226); also Deposition Exhibit 52 |
| 89. | E-Mail from Langelier to Frank and Donovan re. options for preventing or deferring foreclosure, dated 11/3/04 (Dep. Ex. 175/Blue Hill 5310) |
| 90. | E-Mail messages between D. Erwin & Associates, LLC and Blue Hills dated August and October 2004 (Part of Dep. Ex. 305/Blue Hill 4759-4764) |
| 91. | Fax from D. Erwin to Dan Frank and Larry Needle 8/19/04 (Part of Dep. Ex. 305/Blue Hill 5100) |
| 92. | Fax from Dan Frank to D. Erwin 8/20/04 with Purchase Agreement (Part of Dep. Ex. 305/Blue Hill 5097-5099) |
| 93. | Checking Deposit Record - \$50,000 from D. Erwin & Assoc. 8/23/04 (Part of Dep. Ex. 305/Blue Hill 5072-5073) |
| 94. | Checking Deposit Record - \$25,000 from D. Erwin & Assoc. 9/16/04 (Part of Dep. Ex. 305/Blue Hill 5074) |
| 95. | Checking Deposit Record - \$25,000 from D. Erwin & assoc. 9/22/04 (Part of Dep. Ex. 305/Blue Hill 5066) |
| 96. | Notice of Intention to Foreclosure 10/21/04 (Dep. Ex. 174/Blue Hill 1221-1224) |
| 97. | Stotz Appraisal Report 10/28/04 (LNR00984-1106) |
| 98. | Email dated November 2, 2004 From Myung Nam to Guadalupe Martinez, Ana Larracas, Henry Kwong, Rania Shuheiber, Investor Reporting and Dan Alexander re: providing information for special servicing loan (Deposition Ex. 146) |
| 99. | Email dated November 2, 2004 From Desiree Campbell to Alfredo Ortega with attachments re: payoff request (Deposition Ex. 149) |
| 100. | Advisor Consent for Foreclosure 11/3/04 (Dep. Ex. 104/Trust009-0021) |
| 101. | Newspaper Advertisements re. Foreclosure Sale of Real Estate (SD001-002) |
| 102. | Letter dated November 10, 2004 from Ken Goldberg to Bruce Barnett November 10, 2004 (Deposition Ex. 334) |
| 103. | Letter dated November 12, 2004 from E. Randolph Tucker (Deposition Ex. 41) |
| 104. | Letter dated November 17, 2004 from Ken Goldberg to E. Randolph Tucker (Deposition Ex. 335) |
| 105. | Letter dated November 18, 2004 from E. Randolph Tucker to Ken Goldberg (Deposition Ex. 336) |
| 106. | Letter dated November 19, 2004 from Ken Goldberg to E. Randolph Tucker (Deposition Ex. 337) |
| 107. | E-Mail from Polcari to Golinsky 11/19/04 (Dep. Ex. 109/LNR02918) |
| 108. | Certificate of Entry (Blue Hill 1689) |
| 109. | Foreclosure Deed (Blue Hill 1690-1691) |
| 110. | Affidavit of Sale (Blue Hill 1692-1694) |
| 111. | Blue Hills Operating Agreement 9/14/99 (Dep. Ex. 407/Blue Hill 1969-1991) |

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| 112. | First Amendment to Certificate of Formation of Blue Hills (Blue Hill 1964-1968) |
| 113. | Wells Fargo Notepad Entries (Dep. Ex. 139/WF01689-1778) |
| 114. | Spreadsheet entitled "Notepads for Loan #76-0990083 Blue Hills (Deposition Ex. 140) |
| 115. | Email dated January 7, 2005 To Rosen from Hayes re: Client Update (Deposition Ex. 126) |
| 116. | Lawyers' Weekly Calendar September 2004 |
| 117. | CSFB's Response to Blue Hills, Langelier & Fineberg's First Set of Requests for Admission |
| 118. | J.P. Morgan's Response to Blue Hills, Langelier & Fineberg's First Set of Requests for Admission |
| 119. | Letter from Stone to Banknorth dated July 24, 2002, BH 5237-5239. |
| 120. | Tax Shortage Letter dated July 22, 2002, BH 5222. |
| 121. | Letter from Stone to Dulak containing October 9, 2003 tax shortage letter BH 5164-5166. |
| 122. | Letter from Stone to Wells Fargo dated April 28, 2004 containing April 28, 2004 tax shortage letter BH 5026-5028. |
| 123. | E-mail dated June 9, 2004 from Wells Fargo to Donovan re. insurance escrow analysis BH 2103-2104. |
| 124. | Escrow Analysis and Notice of Payment Change dated June 17, 2004, BH 5134. |
| 125. | Wells Fargo Notes Maintenance dated June 11, 2003, WF 01728. |
| 126. | Fax from Stone to Engelstad dated April 22, 2002 enclosing real estate tax bill BH 5259-5260. |
| 127. | Wells Fargo Notes Maintenance dated April 22, 2002 WF 01702. |
| 128. | Letter from Stone to Wells Fargo dated June 17, 2002 regarding sale of Metrowest Bank BH 5243. |
| 129. | Wells Fargo Notes Maintenance dated June 19, 2002 WF 01709. |
| 130. | Wells Fargo Notes Maintenance dated July 11, 2001, WF 01689. |
| 131. | Wells Fargo Notes Maintenance dated January 24, 2002, WF 01696. |
| 132. | Wells Fargo Notes Maintenance dated May 8, 2002, WF 01704. |
| 133. | Wells Fargo Notes Maintenance dated May 30, 2002, WF 01707. |
| 134. | Wells Fargo Notes Maintenance dated June 11, 2004, WF 01740-01741. |
| 135. | Letter from Wells Fargo to Blue Hills dated July 18, 2000 requesting financial statement, WF 01239. |
| 136. | Letter dated July 19, 2001 to Blue Hills from Wells Fargo re: Property tax Shortage (Deposition Ex. 3) |
| 137. | Letter from Price Waterhouse Coopers to Blue Hills dated April 25, 2002 requesting financial statements, WF 01209. |
| 138. | Letter dated July 31, 2003 from Price Waterhouse Coopers to BH requesting financial statements WF 3156. |
| 139. | Letter dated February 13, 2003 from Wells Fargo to Blue Hills requesting financial statements, WF 3153. |
| 140. | E-mail dated March 31, 2004 from Nhan Vi of Wells Fargo to Diaz of LNR attaching year end 2003 financial statements, WF 01807. |
| 141. | Letter dated April 23, 2004 from Wells Fargo to Blue Hills requesting financial statements, WF 3164. |

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| 142. | Letter dated August 4, 2004 from Wells Fargo to Blue Hills requesting financial statements, WF 3168. |
| 143. | LNR Binder (Deposition Ex. 98) |
| 144. | Photographs and Google Picture of 150 Royall Street, Canton, Massachusetts (Plaintiff's Exhibit EJ) |
| 145. | Legible Payment Accounting Record |
| 146. | Letter re: Move tax money (Deposition Exhibit 7, Plaintiff's Exhibit CU) |
| 147. | Wells Fargo Statement for August 11th (Plaintiff's Exhibit CD) |
| 148. | July Statements (Plaintiff's Exhibits EU-EX) |
| 149. | Site Plan (Plaintiff's Exhibit EY) |
| 150. | MGMT Agreement (Plaintiff's Exhibit EO) |
| 151. | Rent Roll 3/31 WF3192 (DE and DG) |
| 152. | Rent Roll dated 6/30/04 WF3198 (DF) |
| 153. | Fax dated August 12, 2004 WF3195 (DH) |
| 154. | March 2000 Operating Expenses Blue Hills WF01187 (DI) |
| 155. | Rent Roll dated April 13, 2000 WF01232 (DJ) |
| 156. | Rent Roll dated June 29, 2000 WF01253 (DK and DO) |
| 157. | Blue Hills Operating Expenses June, 2000 WF01260 (DL) |
| 158. | Blue Hills Operating Expenses September, 2001 WF01451 |
| 159. | Rent Roll dated December 31, 2001 WF01191 (DQ) |
| 160. | Rent Roll dated September 28, 2001 WF01192 (DR) |
| 161. | Blue Hills Operating Expenses dated December 2001 WF01442 (DS) |
| 162. | Blue Hills Operating Expenses dated March 2002 WF01208 (DV) |
| 163. | Letter from G. Stone to Wells dated April 18, 2000 – 4th Quarter Financial (Rent Roll and Settlement) WF01244 (DW) |
| 164. | Fax Transmittal dated May 8, 2002 from G. Stone to Patricia Vazquez WF01207 (DX) |
| 165. | Fax from G. Stone to P. Vazquez dated August 11, 2003 WF3157 (DX) |
| 166. | Fax Transmittal from G. Stone to P. Vazquez dated November 14, 2003 WF3160 (DZ) |
| 167. | Fax to P. Vazquez from G. Stone dated May 10, 2004 WF3163 (EA) |
| 168. | Fax to P. Vazquez from G. Stone dated August 12, 2004 WF3167 (EB) |
| 169. | Rent Roll March 31, 2004 Royall Associates WF01204 (ED) |
| 170. | Blue Hills OP-450 End of year 2002 –Income and Expenses 2/19/03 WF3171 (EE) |
| 171. | Royall Associates Rent Roll 6/30/ WF3179 (EF) |
| 172. | Rent Roll 12/31/03 WF01450 (EG) |
| 173. | Rent Roll 12/31/03 WF01201 (EH) |
| 174. | Rent Roll 1/30/04 WF3198 (EI) |
| 175. | Letter from Lydia Chesnick re: Fineberg & Securitized Loans (Dep. Ex. 322/Blue Hills 3033-3035) (A) |
| 176. | Letter from Schulte Roth & Zabel to Langelier enclosing copy of Guaranty and signature pages for Guaranty, dated 9/7/99 (Dep. Ex. 165/ Blue Hill 5415-5434) (C) |
| 177. | Stone Letter fro Englestadt (4/23/02) BH5256 (H) |
| 178. | Canton R/E Bill for 150 Royall Street (WF1043) 6/02 (I) |
| 179. | Sturbridge Deed-in-Lieu Agreement (P) |
| 180. | Sturbridge Deed (Q) |
| 181. | Lancaster Deed-in-Lieu (R) |

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| 182. | September 10, 1999 Letter from Andrew Cohn to Ken and Lydia (FN) |
| 183. | Tax Payer ID (FR) |
| 184. | Tax Payer ID Form (FS) |
| 185. | Bernkopf Goodman Non-Consolidation Opinion (Dep. Ex. 340 at Blue Hill 2024-2043) (F) |
| 186. | Pooling and Servicing Agreement (Deposition Ex. 51) (AK) |
| 187. | Tax Form 1099A for 2004 (Deposition Ex. 413) (AJ) |
| 188. | Email dated April 28, 2004 from Wodicka to Wolpert/Golinsky (Deposition Ex. 63) (AL) |
| 189. | Email dated August 11, 2004 from Pesin to Reed LNR04086(Deposition Ex. 64) (AM) |
| 190. | Email dated September 11, 2003 from Berger to Polcari (Deposition Ex. 68) (AO) |
| 191. | Email dated September 15, 2003 From Cooper to Perillo (Deposition Ex. 69) (AP) |
| 192. | Email dated September 16, 2003 from Polcari to Golinsky (Deposition Ex. 70) (AQ) |
| 193. | Email dated September 17, 2003 from Taylor to Golinsky (Deposition Ex. 71) (AR) |
| 194. | Email dated September 8, 2004 From Golinsky to Polcari (Deposition Ex. 74) (AT) |
| 195. | Email dated September 8, 2004 From Benedit to Polcari (Deposition Ex. 75) (AU) |
| 196. | Email dated April 22, 2004 From Wodicka to Wolpert re: we need to talk about loans like Blue Hills (Deposition Ex. 79) (AY) |
| 197. | Email dated April 27, 2004 From Wodicka to Golinsky re: 96% tenant will vacate Deposition Ex. 81 (BA) |
| 198. | Email dated August 19, 2004 from Wodicka to Pesin re: E-mail exchange between Emily and myself on this loan (Deposition Ex. 85) (BB) |
| 199. | Email dated April 27, 2004 from Golinsky to Wolpert re: it is FUGLY. The "F" could stand for Feinberg (Deposition Ex. 86) (BC) |
| 200. | Email dated April 28, 2004 from Wodicka to Golinsky re: if reserve can be used for anything other than leasing commissions or tenant improvements (Deposition Ex. 87) (BD) |
| 201. | Lennar Partners, Inc. Advisor Consent For Asset Sale at Discount (Deposition Ex. 101) (BQ) |
| 202. | Email dated November 8, 2004 To Polcari from Rosen re: You have to make this happen (Deposition Ex. 105) (BT) |
| 203. | Email dated November 8, 2004 To Rosen from Polcari re: What the @#%. I'M NOT A MACHINE (Deposition Ex. 106) (BU) |
| 204. | Email dated November 9, 2004 To Polcari from Golinsky (Deposition Ex. 108) (BW) |
| 205. | Email dated September 20, 2004 To Polcari from Rosen (Deposition Ex. 111) (BX) |
| 206. | Email dated September 9, 2004 To Schrager/Hall from Wolpert re: New loans for Transfer Date: August 18, 2004 (Deposition Ex. 112) (BY) |
| 207. | Email dated September 17, 2003 From Larry Golinsky to Vickie Taylor and Emily Cooper re: transfer event (Deposition Ex. 141) (CO) |
| 208. | Email dated November 12, 2003 From Vickie Taylor to Jayson Seidman re. Imminent default transfer trigger (Deposition Ex. 142) (CP) |

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| 209. | 30(b)(6) deposition notice for LNR (Deposition Ex. 47) (FE) |
| 210. | Piper Rudnick Letter of Feb 27, 2006 objecting to topics on 30(b)(6) for JP Morgan, CSFB. (FF) |
| 211. | 2004 Tax Form 1099-C, Blue Hill 1818 (FI) |
| 212. | Statement of Mortgage Debt Payoff Closing Statement (Trust00002-00004) (V) |

United States District Court

DISTRICT OF

Blue Hills Office Park
v.

EXHIBIT AND WITNESS LIST

J P Morgan Chase Bank

CASE NUMBER: CA 05-10506

| PRESIDING JUDGE | | PLAINTIFF'S ATTORNEY | | DEFENDANT'S ATTORNEY | |
|-----------------|----------|----------------------|--------|----------------------|--|
| PLF. NO. | DEF. NO. | DATE OFFERED | MARKED | ADMITTED | DESCRIPTION OF EXHIBITS* AND WITNESSES |
| | Young | | | | M Glynn |
| | | | | | COURT REPORTER |
| | | | | | COURTROOM DEPUTY |
| | | | | | |
| 9/13/06 | | | | | William Langelier |
| | | 144 | | | Photos of 150 Royal St. |
| | | AI 215 | | | Term sheet to Rubino 9/1/99 |
| | | | | | Chalk A 87-99 |
| | | | | | Chalk B 99-01 |
| 9/14/06 | | | | | William Langelier |
| | | ET 145 | | | Fineberg Royal At. Confidential |
| | | | | | Joseph Donovan |
| | | CU 146 | | | 1tr to Wells Fargo 7/24/01 |
| | | DC 147 | | | Monthly Statement Wells Fargo Bank 8/11/04 |
| | | EY 148 | | | Statement # 7/1/04 Reserve # 5 |
| | | EV 149 | | | " " " |
| | | EW 150 | | | " " " # 2 |
| | | EX 151 | | | " " " # 1 |
| 9/15/06 | | | | | Joseph Donovan |
| | | EY 149 | | | Plan of Land for 150 Royal St. |
| | | EO 150 | | | Response to Ltr. Management Agreement |
| | | | | | Andrew Cohn |
| 9/29/06 | | | | | Andrew Cohn |
| | | FN 182 | | | Ltr to Ken & Lydia 9/10/99 |
| | | FR 183 | | | Metavest Bank |
| | | FO 184 | | | request for Taxpayer ID |

* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

EXHIBIT AND WITNESS LIST - CONTINUATION

| PLF. NO. DEF. NO. DATE OFFERED Marked Admitted | | | | | CASE NO. |
|--|-----|-----|--|--|--|
| DESCRIPTION OF EXHIBITS AND WITNESSES | | | | | |
| | | | | | 05 CV 10506 |
| 9/29/06 | F | 183 | | | mem 9/14/95 Bergoff Goodrich Joseph Polcari |
| | AK | 184 | | | Policy & Service Agreement |
| 10/3/06 | EE | | | | Joseph Polcari |
| | U | | | | notes by Polcari |
| | V | 212 | | | Statement of Mort debt 11/5/04 Richard Clarke |
| | GB | | | | Richard Clarke Curriculum Vitae |
| | GE | | | | Clarke report |
| 10/4/06 | | | | | Richard Clarke |
| | | | | | Daniel Frank |
| 10/11/06 | | | | | Kenneth Goldberg |
| GA | 213 | | | | site plans |
| GG | EE | | | | 1tr T |
| GF | EE | | | | site plan w/approval Gerald Finberg |
| | | | | | Fax & 1tr to Mr. Rubino |
| 10/12/06 | FO | 214 | | | By law - Blue Hills Office Park |
| | FP | 215 | | | Clarke's cert. " |
| | FO | 217 | | | articles of organization " |
| | | | | | Gilbert Stone |
| | | | | | Randall Rosen |
| | | | | | Dorothy Erwin |
| | | | | | David Andelman |
| | | | | | Joseph Donovan recalled |
| | | | | | Lawrence Neal |